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August 10, 2022

VIA ECF

MEMORANDUM ENDORSED

The Honorable Gregory H. Woods
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007-1312

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Re: United States v. Ivo Bechtiger et al., 20 Cr. 497 (GHW)

Dear Judge Woods:

We represent Daniel Wälchli, the sole defendant to appear in the above-referenced action. After consulting with the government, we respectfully submit this letter to address three matters in advance of a status conference scheduled for August 17, 2022.

First, as your Honor may recall, Mr. Wälchli is a citizen and resident of Switzerland. During our initial conference on March 16, 2022, your Honor indicated a willingness to consider waiving Mr. Wälchli's appearance at future status conferences that relate solely to scheduling and/or legal matters. Having conferred with the government, we believe the August 17 status conference will be limited to such matters. We have also conferred with Mr. Wälchli and apprised him of his right to be present at the status conference. While Mr. Wälchli is prepared to travel to New York to attend the status conference if your Honor wishes, he has informed us that he would prefer not traveling from Switzerland for this conference.¹

Second, pursuant to your Honor's April 14, 2020 Emergency Individual Rules and Practices in Light of COVID-19, we have conferred with counsel for the government. While both parties are prepared to appear in person if your Honor prefers, we agree that, consistent with the U.S. Constitution, Federal Rules of Criminal Procedure, and any other relevant law, the

¹ At the March 16 hearing, the government noted that, under Swiss law, Mr. Wälchli is precluded from participating in judicial proceedings in this matter remotely from Switzerland.

MORVILLO ABRAMOWITZ GRAND IASON & ANELLO P.C.

Hon. Gregory H. Woods
August 10, 2022
Page 2

Court can hold the August 17 status conference remotely. As noted above, Mr. Wälchli is waiving his appearance at the conference.

Finally, at the time of his initial appearance, Magistrate Judge Robert W. Lehrburger accepted the bail package proposed by the parties and released Mr. Wälchli on a \$1,000,000 personal recognizance bond secured by \$1,000,000 in cash. Among the conditions of his release, Mr. Wälchli was permitted to travel internationally for work and within the European Union, United Kingdom, and Switzerland for personal reasons, subject to his providing advance written notice of his travel plans “to government counsel and to Pretrial Services.” Because Mr. Wälchli was released without being subject to supervision by Pretrial Services, however, there is no specific Pretrial Services Officer to be notified of his travel plans. To date, we have been notifying Pretrial Services Officer Francesca Piperato, who interviewed Mr. Wälchli in advance of his initial appearance. Ms. Piperato has noted that she does not supervise Mr. Wälchli and suggested that, under the circumstances, it would be appropriate for us to request that your Honor modify Mr. Wälchli’s bail conditions to delete the requirement that Pretrial Services be notified of his travel plans. Counsel for the government has informed us that the government does not object to this revision of the conditions of Mr. Wälchli’s release.

Thank you in advance for your attention to this letter.

Respectfully submitted,

/s/ Jeremy H. Temkin
Jeremy H. Temkin
Richard F. Albert

cc: AUSA Olga Zverovich (via email and ECF)
SAUSA Nanette Davis (via email and ECF)
Christopher Magnani, Esq. (via email)

Application granted in part and denied in part. To the extent that the topics to be discussed at the conference are limited as described, defendant may waive his presence. The conference will be conducted in person. The conditions of Mr. Walchli's pretrial release are modified as follows: the requirement that he notify Pretrial Services of travel plans is deleted. All other conditions of his pretrial release remain in full force and effect.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 34.

SO ORDERED.

Dated: August 10, 2022
New York, New York



GREGORY H. WOODS
United States District Judge